

Item No: _____

Prepared By: Gloria Kelly
Real Estate Services

Approved by: Lisa Kelly
County Attorney

RESOLUTION APPROVING THE LEASE OF 20.14 ACRES OF UNIMPROVED BENJESTOWN ROAD RIGHT-OF-WAY TO D. CURTIS WEGENER TO USE IN CONJUNCTION WITH HIS OPERATION OF A HUNTING CLUB AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE THE LEASE AGREEMENT. SPONSORED BY COMMISSIONER WYATT BUNKER.

WHEREAS, In 1975, the County of Shelby purchased a certain unimproved, tract of land, 20.14 acres in size, designated for the future realignment of Benjestown Road, located east of the existing Benjestown Road right-of-way, immediately north of the Loosahatchie River; further identified recorded instrument #E7-2892 in the Shelby County Register's Office, Shelby County, Tennessee; and

WHEREAS, D. Curtis Wegener is desirous of leasing said 20.14 acres of unimproved road right-of-way that adjoins his property, for his use in conjunction with his operations of a hunting club; and

WHEREAS, D. Curtis Wegener has requested that the County of Shelby, lease the 20.14 acres of unimproved Benjestown Road right-of-way located east of the existing Benjestown Road, immediately north of the Loosahatchie River, for his use in conjunction with his operations of a hunting club, for an initial term of five (5) years, for an annual rental in the amount of \$ 1 , 0 0 0 . 0 0 with the option to extend the initial term for three (3) renewal terms of five (5) years each, under the terms and conditions set forth in the attached Lease Agreement, which is hereby incorporated by; and

WHEREAS, It is deemed to be in the best interest of the County of Shelby to lease the hereinabove said 20.14 acres of land to D. Curtis Wegener for his use in conjunction with his operations of a hunting club, under the terms and conditions stated in the aforescribed Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the aforescribed lease of 20.14 acres of land owned by the County of Shelby to D. Curtis Wegener for his use in the conjunction with his operations of a hunting club, under the terms and conditions stated in the aforescribed Lease Agreement be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor be and he is authorized to execute the attached Lease Agreement and any other documents necessary to effect the lease of said real property to D. Curtis Wegener for the aforementioned purpose.

BE IT FURTHER RESOLVED, That the lease rental payments from this lease totaling \$ 5,000.00 shall be credited to Revenue Account No. 010-307501-4260

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____

SUMMARY SHEET

I. Description of Item

The County of Shelby owns certain unimproved road right-of-way (approximately 20.14 acres in size) designated for the future realignment of Benjestown Road, located east of the existing Benjestown Road right-of-way, immediately north of the Loosahatchie River, within the County of Shelby. The County of Shelby is to lease 20.14 acres of the said unimproved road-right-of-way to D. Curtis Wegener under the terms of a five (5) year lease for his use in conjunction with his operations of a hunting club for an annual rental in the amount of \$ 1 , 0 0 0 . 0 0 . The Lease Agreement provides D. Curtis Wegener the option to renew this lease for three (3) additional five (5) year terms. D. Curtis Wegener desires to exercise its option to renew this lease as provided under the terms and conditions stated in the attached Lease Agreement. Based on the above, it is hereby recommended by the Administration that this Agreement be approved.

II. Source and Amount of Funding

No county funds required.

III. Contract Items

Lease Agreement

IV. Additional Information Relevant to Approval of this Item

Existing Benjestown Road right-of-way,
immediately north of the Loosahatchie River

